

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NYU HOSPITALS CENTER,

Plaintiffs,

vs.

CASE NO. 08 cv 6187 (RJS)

THOMAS MOLLO and  
BLUE CROSS BLUE SHIELD  
OF FLORIDA, INC.

Defendants.

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**DEFENDANT'S AGREED MOTION FOR AN EXTENSION  
OF TIME TO FILE RESPONSE TO COMPLAINT**

Defendant, Blue Cross and Blue Shield of Florida, Inc. ("BCBSF"), pursuant to Fed.R.Civ.P. 6(b), moves the Court for an extension of time to file its response to the Complaint in this matter, to and including July 25, 2008, and in support hereof states:

1. Plaintiff, NYU Hospitals Center ("NYU"), filed its Complaint in the Supreme Court of the State of New York County of New York on May 13, 2008. On July 8, 2008, BCBSF filed a Notice of Removal in this Court.

2. Pursuant to the applicable Federal Rules of Civil Procedure, BCBSF's response to the Complaint is now due on July 15, 2008.

3. BCBSF requests an extension of time to respond to the Complaint in order to allow for a sufficient investigation of the background facts, and to gather any necessary documentation and other information that may be required to frame its response to the Complaint. Undersigned counsel has been diligent in pursuing this information, but is still

analyzing the documentation gathered thus far. In addition, the parties are attempting to explore the possibility of an amicable resolution in an effort to avoid incurring further litigation costs.

4. BCBSF requests an extension of time to and including July 25, 2008, within which to file its response to the Complaint.

5. Counsel for BCBSF has consulted with counsel for NYU in this matter, who advises that NYU agrees to the relief requested herein.

**WHEREFORE**, BCBSF respectfully requests entry of an Order granting it an extension of time to serve its response to the Complaint herein, to and including July 25, 2008.

**MEMORANDUM OF LAW**

This Motion for an Extension of Time is submitted pursuant to Rule 6, Federal Rules of Civil Procedure, and is committed to the sound discretion of the Court.

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BY: 

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PLEASE TAKE NOTICE that Defendant Blue Cross Blue Shield of Florida, Inc. will move this Court, at the United States District Court for the Southern District of New York, for an Extension of Time to File Response to the Complaint time in this matter, to and including July 25, 2008, pursuant to Fed.R.Civ.P. 6(b).

Dated: New York, New York

July 10, 2008

HOLLAND & KNIGHT LLP

By: 

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